

April 26, 1979

LB 374

and also outlining the restrictions on that license. For example, if a defendant given a probation for DWI is allowed to operate a motor vehicle only to and from work, such notation will be made on the document issued by the court so that if he is subsequently stopped for a driving offense and is outside the course of his employment the law enforcement officer would immediately have notice of the situation. If the only purpose of depositing the license with the court is to secure the payment of a fine or cost, or to insure that the defendant attended drivers improvement school, then that fact would be stated on the document in addition to the date that the document will expire pursuant to compliance with the court order. I move that LB 374 be advanced to E & R Initial.

SPEAKER MARVEL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, if you'll look at your bill book you'll see that Senator Nichol and I voted against advancing this bill. Senator Nichol, as Chairman, I guess I do have to ask you this question.

SENATOR NICHOL: Yes.

SENATOR CHAMBERS: If a person had these notations on the license or a different piece of paper or anything else, what would prevent that person from obtaining a duplicate driver's license?

SENATOR NICHOL: I don't think there would be.

SENATOR CHAMBERS: So might this just be another one of these instances where you wouldn't really accomplish anything other than perhaps causing a person to use a strategem to get around it?

SENATOR NICHOL: Yes, Senator Chambers, I object to a person giving up their driver's license for these reasons. As far as I was concerned, if you're asking what I thought about it, I personally felt that if a judge wants to make time payments, then that judge takes it upon himself to see that those payments are collected. Secondly, if he wants him to attend a school, then it's up to that judge to see that he attends school. I don't think that...my personal opinion is that I don't think that the judge should be taking your driver's license away from you for these minor situations. Now, and also if the judge wants to imply the rule that you should drive only to and from work